

# APPROVED MINUTES

## SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF JULY 8, 2021 3:00 PM at the Treatment Plant

**COMMISSIONERS PRESENT:** Howe, Bisnett, Cannon, Doyle, Fillion, Hotaling, Keegan, Lansing

**COMMISSIONERS EXCUSED:** None

**ALSO PRESENT:** Dan Rourke P.E., Executive Director; Anne Gorman, Confidential Secretary; Chief Operator, Gene Hutchings; William Bills, Maintenance Manager; Andrew Marsden, Assistant Maintenance Manager; Michael Naughton, Assistant County Attorney; Sam Shulman, Legal Student Intern; Erik Dougherty, Student Intern

Chairman Howe welcomed everyone to the July 8, 2021 Saratoga County Sewer Commission meeting.

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Hotaling

**PUBLIC COMMENT:** None

**CHAIRMAN'S COMMENTS:** Chairman Howe introduced Tammy Ballestero, Lab Director and Pre-Treatment Coordinator for SCSD #1. He said Tammy has worked for the Sewer District for 31 years and has decided to retire. Chairman Howe thought it appropriate to bring her in here to say thank you, not only for what she does here but also what she has done for the environment and the county as a whole. He said she has been our safeguard for 31 years and he would like the Commission to join him in thanking her (applause and thank you). Chairman Howe said it is people like Tammy that keep this place running and he said again, thank you so much.

Tammy Ballestero, Lab Director said it's been a great run for her and she really appreciated the opportunity, thank you. She added, it afforded her an opportunity to be able to do what she enjoys doing and it provided great hours that allowed her to never miss a beat with her daughter. She said she is forever grateful for that and thank them again. Everyone thanked her and wished her good luck in her next chapter.

Chairman Howe said 31 years in anything continuous is something to be applauded and he thanked the Commission for doing that.

**APPROVAL OF MINUTES of June 3, 2021.** *Commissioner Hotaling made a motion to approve the minutes of June 3, 2021. Commissioner Doyle seconded the motion. No discussion. The minutes of June 3, 2021 were approved. 7 Ayes, 1 Absent, 0 Nays.*

Chairman Howe said before moving on, he sees an unfamiliar face with staff and asked for an introduction. Executive Director Rourke introduced Erik Dougherty our intern for the summer. Dan asked Erik to tell the Commission where he is from and where he is going to school. Erik said he is from Minnesota and goes to school at RPI and will be a Jr. in civil and environmental engineering. Executive Director Rourke said one of the main reasons we brought him in was for our CMMS & Asset Management program. There is a lot of data that needs to be gathered and put into spreadsheets and Erik has been working on that for us over the last

couple of weeks and we have him through August. Chairman Howe and the Commission welcomed him and thanked him for being here.

Chairman Howe said moving on to the capital projects. Executive Director Rourke said we used to have some of our other projects, the ammonia and biosolids under 2018 Capital Projects. He said he shifted those down as they are more likely to be next year's projects and they will be seen further down the agenda compared to where they have been in the past.

## **2020 CAPITAL PROJECTS**

**Storage Building/HVAC and Roof Replacement Design** – Executive Director Rourke reported there is a progress meeting scheduled for next week. We are still progressing through design and hopefully on track to have those plans completed sometime in October. The AHU-5 (Air Handling Unit) has been delivered for the HVAC for this building, but we are still waiting for the condensers to show up. The contractor is not going to come here and do that work until the condensers are delivered so they can do everything all at once. Executive Director Rourke said we are hoping that comes in the next week or two.

**Interceptor Relining Phase VIIB** – Executive Director Rourke reported we have a meeting next week to go over our comments on the plan sets. Andrew, Bill and he will provide comments to the engineer to go over what needs to change, what we need to amend and/or what we need to add. Hopefully we will be on track again to bid that project later this year. We are still awaiting final approval from the OSC (Office of State Comptroller) regarding the increased cost to the average user. We did get some comments back and we have had our application reviewed, which is great. We are in the process of answering those questions now and once we get them answered, hopefully we can get that approval back and begin finalizing the plan set, specifications and get that project out to bid.

Commissioner Cannon arrived at 3:07 P.M.

**Riverside (Stillwater) I&I Reduction Design** – Executive Director Rourke reported we are still awaiting Chazen, our engineer to finish their internal QA & QC (Quality Assurance & Quality Control) of the plans before they send us to review. He said they are still very confident and aiming to go out to bid by late summer and begin that work hopefully before the end of the year. Executive Director Rourke clarified that is just the collection system at Riverside #1 Pump Station where we did some internal CCTV work that showed groundwater infiltration and root damage and so we are looking to do that project sooner rather than later.

**Saratoga Springs Pump Station and F.M. Evaluation and Design** – Executive Director Rourke informed we just received one of the reports today for the pump station and we are still awaiting a finalized report for the forcemain evaluation. Once we receive that we will review it and set up a meeting with our engineer, Weston & Sampson to go over the expected repairs and/or replacements that are going to be needed for both the pump station and the forcemain. That should give us a better picture budget wise of what that will entail.

## **2021 CAPITAL PROJECTS**

**LED Lighting Upgrade** – Executive Director Rourke reported this project is 85% complete. We ran into an issue recently where we seem to have a voltage surge that took out some of our drivers for our emergency lights. So, we are trying to determine the cause of that and there are also some minor installs to be done, then that project will be complete.

**Secondary Clarifier Gate and MCC Replacement** – Executive Director Rourke informed we just received the engineering report this week to review. There was a lot of good information in there and it will take a little bit of time to digest it all. Executive Director Rourke said he knows the costs are increasing and he doesn't have a final cost on that yet but it will be reviewed with the engineer. When that is finalized and he knows actually what that will be he will bring it in front of the Commission for discussion.

**CMMS & Asset Management Implementation**– Executive Director Rourke said our intern Erik is working on gathering asset information throughout the plant and collection system. We are moving forward with our implementation with the engineer, B&L and our software platform, Utility Cloud who we have weekly meetings with to answer questions, go over creating and deleting assets, etc., and that has been going well to date.

**Technical Determination of Local Limits** – Executive Director Rourke said there was a meeting today regarding our pollutants of concern and defining what we may want to add to our sampling plan. He said we need to do a pretty hefty sampling effort in both the plant and collection system on our influent and effluent, and sludge as well to understand what there is background in our wastewater verses what is coming from industry. From there we will do a maximum allowable head works loading and determine what people, both residential and commercial as well as industrial can discharge. Chairman Howe asked if there were any questions. Executive Director Rourke said one thing he would add to that with the hefty sampling effort, we are sending the sampling to Adirondack Environmental Labs and we are paying for that out of our budget that was not included. He said he did not ask for it in the engineer's contract because we already have a contract with Adirondack Environmental. Based on those findings, we may need to amend the Adirondack Environmental contract to increase that amount to be able to finalize all this testing because EPA (US Environmental Protection Agency) requires (7) days of sampling when sampling the collection system. We have approximately 30-40 different pollutants that we may be sampling in our collection system to get a better understanding of what is coming down the pipe. Executive Director Rourke said that may happen but may not, he has to look at the budget and understand where we are but he wanted to give the Commission a heads up.

## **2022 CAPITAL PROJECTS**

**Biosolids Handling Facility** – Executive Director Rourke said today we would be looking to set a public hearing on this project. He said in the agenda packet there was a draft Executive Summary. He said he recognizes that we have not had a lot of discussion on this project, but we had a lot of discussions on the joint project. He said this project is very similar to the joint project except obviously, we are now carrying 100% of the cost and we are no longer in an agreement with Albany County. Executive Director Rourke said we did look at a large number of alternatives which are listed on the draft Executive Summary. The alternative that peaked our interest the most was #9 which had a capital cost of \$51,900,000.00 with one of the lower, if not lowest, annual cost of \$2.7M/year. This would be anaerobic digestion, it would go to a dryer and then we would utilize the gas from the anaerobic digestion and turn it into RNG (Renewal Natural Gas) with the hope that we can inject that into the pipeline. RNG has a lot of benefits in terms of a commodity market around RNG, where basically you can sell it on the open commodity market and big oil companies and carbon producers can actually satisfy their sustainability goals and requirements from the federal government by purchasing what we would put into the pipeline as a renewable source. Executive Director Rourke said now this is a commodity market, it goes up and down so there is a little bit of a risk, but the risk reward that we saw seemed to make sense. He said obviously this increases the capital cost slightly but there's also an economies scale with this type of cleaning technology. He said even if we use that gas to generate electricity, we would still need to clean it up. So, this is taking the next step of cleaning it up a little bit more to inject it into the pipeline. Executive Director Rourke added, if for any reason as we are finishing design and before going into construction that commodity market either fails to exist or is dropping, we can still utilize the capital investment that we made to clean the gas to potentially go to a generator or a microturbine.

Executive Director Rourke said those are the alternatives and today would be a motion to set a public hearing to discuss the proposed construction of a Biosolids Handling Facility at the Saratoga County Sewer District No. 1 WWTP.

*Commissioner Doyle made a motion to approve forwarding a recommendation to the County Board of Supervisors to schedule a Public Hearing for the proposed construction of a Biosolids Digester Facility for Saratoga County Sewer District No. 1 with a maximum not to exceed project cost of \$51,900,000.00. Commissioner Cannon seconded the motion. Discussion involved the type of dryer, durability, dependency and redundancy as well as revenues for natural gas production. The motion for recommending approval for scheduling of the Public Hearing for the proposed construction of a Biosolids Digester Facility passed: 8 Ayes, 0 Nays.*

Executive Director Rourke said there are a couple of things he is sorry that he did not put on the agenda but wanted to clean up for the Biosolids Handling Facility. He said he will ask Attorney Naughton to chime in if need be. He said there are (2) things regarding SEQR (State Environmental Quality Review Act) and rescinding previous resolutions regarding the Joint Biosolids project. First, with the SEQR there is a certain way this is typically handled where an agency states that they are intending to be the lead agency with some type of resolution. Executive Director Rourke said the reason we are moving so quickly with this is the funding cycle. Environmental Facilities Corporation (EFC) has still not come out with the dates of when the WIIA (Water Infrastructure Improvement Act) grants will be available. We are only going based on previous times which was in 2019 when it was announce July 9<sup>th</sup> and due September 13<sup>th</sup> and they require a bond resolution to be attached to it. There is a lot that goes into getting a bond resolution passed at the County level, including SEQR, including a project resolution, including a public hearing which all takes time. Executive Director Rourke said that is why we are trying to push this a little bit quicker. He said he would like to make a motion at this level today that may get passed at Law and Finance and then to the County BOS level for Saratoga County to be the intended lead agency on this Biosolids project which he thinks will cover all basis to be able to continue moving forward with our funding application. Executive Director Rourke asked Attorney Naughton if that was correct and Attorney Naughton said that was correct.

*Commissioner Hotaling made a motion to forward a recommendation to the County Board of Supervisors that Saratoga County as an involved agency desires to assume Lead Agency status for the purpose of SEQR review for the Biosolids project. Commissioner Doyle seconded the motion. No Discussion. Motion passed: 8 Ayes, 0 Nays.*

Executive Director Rourke thanked the Commission. He said the third item for the Biosolids Handling Facility project is more of a cleanup for previous resolutions, it's not necessarily a necessity to rescind them but we were talking via email that it probably makes good sense to not have bonds hanging out there by the County Board and this Commission for this project that is not going to happen and to now pass another bond resolution for a very similar project next month. Therefore, Executive Director Rourke requested a motion to rescind BOS's Resolutions 170 and 171 of 2018 and Resolution 195 of 2020 for the Regional Joint Biosolids Project that will allow us to continue moving forward at the Law & Finance and BOS level with this Commissions recommendation to rescind and move forward with the Biosolids Handling Facility.

Attorney Naughton for clarification asked if those resolutions were at the Commission level or the BOS level. Executive Director Rourke said they are at the BOS level and this motion is a recommendation to rescind those resolutions. Attorney Naughton said they expire after 10 years, but is cleaner to have them rescinded and have that on record rather than having (2) competing bond resolutions out there.

*Commissioner Doyle made a motion to forward a recommendation to the County Board of Supervisors to rescind BOS's Resolutions 170 and 171 of 2018 and Resolution 195 of 2020 for the Regional Joint Biosolids*

*Project to allow SCSD #1 to continue moving forward with the Biosolids Handling Facility project. Commissioner Bisnett seconded the motion. No Discussion. Motion passed: 8 Ayes, 0 Nays.*

**Ammonia Related WWTP Upgrades** – Executive Director Rourke said a very similar motion as with the Biosolids Handling Facility, we need to schedule a public hearing to pass a project resolution for the proposed construction of upgrades to the Saratoga County Wastewater Treatment Plant with regards to our Ammonia Upgrades project. Chairman Howe entertained the motion.

*Commissioner Cannon made a motion to approve forwarding a recommendation to the County Board of Supervisors to schedule a Public Hearing for the proposed construction of upgrades to the Saratoga County Wastewater Treatment Plant with regards to our Ammonia Upgrades project. Commissioner Bisnett seconded the motion. No Discussion. The motion passed: 8 Ayes, 0 Nays.*

Executive Director Rourke said he wanted to add that in the agenda packet there was a revised cost estimate from Barton & Loguidice. They were able to get some better numbers and it is significantly less than our previous cost estimate. The preliminary opinion of probable cost before was approximately \$38M, part of that was they had the design fee in there as well, but we are paying cash for the design fee and not going to be bonding it where we may be bonding the construction engineering. He added the construction subtotal is also significantly less than what was expected, and that is what happens when you go from 30% to 60% to 90%, things get refined, so that's some good news there. Executive Director Rourke said that \$33M is going to end up being what the public hearing is going to be based on. He has to finalize the calculations but the average cost per user is less per year than the OSC's (Office of State Comptroller) requirement of \$11 dollars for approval. If the average cost per user is above \$11 dollars, approval is needed like we are doing with our Interceptor Relining project. It looks like we are going to be less than \$11 dollars for this amount of money and that is good news and that is also the same for the Biosolids Facility, if that works out the way we hope it does, that is either going to be cost neutral or show a significant cost avoidance over the future based on what we are doing now and hauling that sludge out unstabilized. He said hopefully that is a zero net cost to the average user or cost avoidance in the near future to spend on other necessities.

Commissioner Bisnett asked the general question if any of the people we are doing business with putting cost escalation clauses into the contracts, like homebuilders are. Executive Director Rourke said the only one that he can think of currently is our sludge hauling contract, which has cost escalations for fuel he believes, or at least it used to. We may have bid it out the last time, but he can say at our last construction contract for our pump stations did not include any cost escalation clauses. He said it's a great question and when we start to go to bid with some of these projects the hope is that the contingencies that we put on these projects covers an unforeseen issues, but it's a fair point and we will cross that bridge when it comes.

## **MISCELLANEOUS**

**Staffing** – Executive Director Rourke said he wanted to close the loop on this item from last month. In the agenda packet there is a letter he sent to Human Resources (HR) requesting a few new positions and he wanted to share that with the Commission. Also included was an existing and proposed organizational chart which gives an idea of how our employees are staffed and where they fall vertically under departments within the Sewer District. He said if anyone has questions, let him know. He said it can very well not be approved at the county level, we submit it to them and they have a committee that reviews it and decides. Executive Director Rourke said he tries to instill that we are our own budget for the Sewer District. He said he looked all the way back to the year 2000 with all of the position changes and since 2000 we have only added (2) positions. He said he the County and the Sewer District has grown significantly since then.

Chairman Howe asked Executive Director Rourke to summarize what we are asking for. Executive Director Rourke said we are asking for a new Sr. Account Clerk to assist with purchasing, invoicing on equipment, minor contracts and help assist with payroll when needed, but really what it does is gets Gene, Bill and Andrew out from under needing to get all these quotes, searching for pieces and parts, calling contractors for minor contracts and it will free them up to focus more on their actual job.

Secondly, we are looking at hiring (2) HEO's (Heavy Equipment Operators). Executive Director Rourke said he has worked with HR on this to figure out what the best case scenario is, explaining that we want to get a CDL driver or two so that we can ensure that our flush truck can get out on the road and do the important cleaning work that needs to be done at pump stations as well as in the collection system. This position would be between a worker and a helper and they would not only be operating that flush truck, they would be also assisting with typical maintenance, plowing, shoveling in snowstorms, mowing grass, etc. He added DPW has the exact same position at their facility and it seems like a good fit for here and it gets us our CDL Class B endorsements on site.

Lastly, with the retirement of our Lab Director, Tammy Ballestero, which we all acknowledged earlier, we are looking at reorganizing some of those duties and maintaining the Lab Director position to do what we need to do in the lab, but moving some of the industrial pretreatment duties to a new position we would like to create called a Permit Compliance Manager. That position would take the place of what we call the Day Sr. Operator right now that we have not filled in a while. Executive Director Rourke said over time, since he started here, the Day Sr. Operator didn't necessarily show itself at 100% necessary, so we haven't filled it and have been trying to find the best way to utilize that position. A Permit Compliance Manager can take over some of those industrial pretreatment duties but also can assist with the day to day operations if we are short staffed or assist in the lab when short staffed. We would still require a 3A Wastewater License for that position so that they would still be a certified operator but also be more on the industrial pretreatment side.

Commissioner Hotaling asked if there were any employees currently eligible for these jobs. He said he knows that's a loaded question. Executive Director Rourke said yes. For example the HEO is going to provide incentive for those who are maybe below that position to get their Class B CDL license, which we had someone here that wanted to do that a couple of years ago. The hope is to be able to do that with some of our laborers and helpers to have them move up, but it all comes down to initiative and the want to do it. Executive Director Rourke said one thing we have also done in the last year under the union contract is provide a \$1,500.00 incentive to have a CDL and sign up for weeks to be on-call for emergencies.

Chairman Howe asked if Executive Director Rourke needed anything from the Commission today, or if he was just informing them. Executive Director Rourke said he was just informing everyone. He said if he gets questions from HR or the HR Committee and the Sewer Commission is on board and understands what we are doing then he can say he has mentioned it to the Commission and all is okay.

Chairman Howe said to Executive Director Rourke that he has been very impressed with the way he runs and operates this place over the years he's been here and any recommendation that he may have he supports it. Executive Director Rourke said thank you and he appreciated that. He said there is one more housekeeping item with the letter he sent to the County Administrator's office. He appreciated all the Commissioner's comments. He implemented them and amended them a little bit and it looks like they want to help us. He said he doesn't know to the tune of what number but he thinks it will be significant, and hopefully more significant than what was anticipated. The Commission replied that is good. Executive Director Rourke said they will be accepting the money at the Law and Finance meeting next week and the thought is that's going to generate the questions of where and how can it be spent. He added when you go to the US Treasury Department, Fiscal Recovery, and Corona Virus Fiscal Recovery Funds, one of the options is water/sewer and broadband infrastructure and that is us.

**ATTORNEY REPORT** – Attorney Naughton reported there is one (1) dedication for the Town of Halfmoon. He said there are two (2) more dedications coming up and one (1) easement to grant. They were not ready for this meeting and we will probably do them next month.

## **DEDICATIONS**

**Pinebrook Hills PDD PH 1 & II** – Town of Halfmoon – Marini Land I, Inc. requested dedication of the sanitary sewer infrastructure servicing Pinebrook Hills PDD PH I & II in the Town of Halfmoon. *A motion to accept Resolution 3-2021 dedication of Pinebrook Hills PDD PH I & II was made by Commissioner Hotaling and seconded by Commissioner Keegan. No discussion. Resolution 3-2021 accepting dedication of Pinebrook Hills PDD PH I & II consisting of (6) manholes, approximately 1,156.9 ft of 4” HDPE DR-11 low pressure forcemain, approximately 1,720 ft of 3” HDPE DR-11 low pressure forcemain and approximately 345 ft of 2” HDPE DR-11 low pressure forcemain main in the Town of Halfmoon passed: 8 Ayes, 0 Nays.*

Chairman Howe said he had one additional item. He asked Executive Director Rourke to reach out to the Board of Supervisors and remind them that the City of Mechanicville still does not have a replacement on the Sewer Commission. He said Jim has been gone a while now and Mechanicville should be represented. Commissioner Bisnett said he actually saw a name in the local Express that said someone was appointed. He can't remember the name but believed Mechanicville did submit a name and he had expected to see someone. Executive Director Rourke said he will check the agenda for Law and Finance when that gets published.

Chairman Howe asked if there was anything else to discuss. Seeing nothing he entertained a motion to adjourn.

*A motion to adjourn the meeting was made by Commissioner Hotaling and seconded by Commissioner Doyle. The motion passed unanimously.*

**Next meeting August 5, 2021  
3:00 P.M. at the Treatment Plant**